

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELIZABETH RODRIGUEZ,

Plaintiff,

-v-

UNITED STATES OF AMERICA,
and ROBERT SOLOMON, MD,

Defendants.

21 Civ. 2075 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On October 6, 2021, plaintiff Elizabeth Rodriguez filed the amended complaint in this case, adding defendant Robert Solomon, M.D. (“Solomon”), in this case. Dkt. 29. On October 20, 2021, defendant United States of America answered the amended complaint. Dkt. 35. On November 22, 2021, Rodriguez served Solomon with process, making Solomon’s deadline to answer or otherwise respond December 13, 2021. *See* Dkt. 40. By January 31, 2022, Solomon had not responded to the amended complaint or otherwise appeared in this action—but Rodriguez had not obtained a certificate of default from the Clerk of Court or filed a motion for default judgment against Solomon. Accordingly, on January 31, 2022, the Court issued an order to show cause instructing Rodriguez to submit a motion for default judgment or risk dismissal of the case under Rule 41. Dkt. 41.

On February 2, 2022, Rodriguez requested and received clerk’s certificates of default against Solomon. Dkts. 44–45. On February 22, 2022, Rodriguez filed a motion for default judgment against Solomon, along with a declaration in support and exhibits attached. Dkts. 48–49. Rodriguez’s papers in support of her motion are in good order. If Solomon wishes to oppose the motion, Solomon’s counsel shall enter a notice of appearance prior to April 1, 2022, and file

an opposition on ECF, explaining why a default judgment is not warranted, by **April 1, 2022 at 5 p.m.** Rodriguez is to serve this order and the papers in support of her motion for default judgment on Solomon forthwith and file proof of this service no later than March 18, 2022.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: March 2, 2022
New York, New York